

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **298-228**
First Inventor **Hoermann**
Title **CONTROLLED DEVICE ...**
Express Mail Label No. **EL995745324US**

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 9]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
5. Oath or Declaration [Total Sheets 6]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)

b. Specification Sequence Listing on:

- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper

c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Attorney (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 9 pages of German Text
17. ☒ Other: **Check for \$385.00 & \$40.00**

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Prior application information:

Examiner

Art Unit:

For CONTINUATION OR DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number: **28249** OR ☐ Correspondence address below

Name **Rocco S. Barrese, Esq.**
Address **DILWORTH & BARRESE, LLP**
333 Earle Ovington Boulevard
City **Uniondale** State **New York** Zip Code **11553**
Country **USA** Telephone **(516) 228-8484** Fax **(516) 228-8516**

Name (Print/Type) **George M. Kaplan** Registration No. (Attorney/Agent) **28,375**
Signature *George M. Kaplan* Date **February 18, 2004**

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on the date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL995745324US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: February 18, 2004

George M. Kaplan
George M. Kaplan

17264 U.S. PTO
021804

PATENT
Atty. Docket No. 298-228

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

UTILITY APPLICATION DATA SHEET UNDER 37 C.F.R. §1.76

Transmitted herewith for filing is the patent application of

Inventor(s): Michael Hoermann

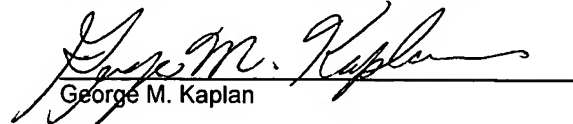
For: CONTROLLED DRIVE FOR A GARAGE DOOR SECTION OR THE LIKE
Enclosed are:

- ☒ 6 page(s) of specification
- ☒ 1 page(s) of abstract
- ☒ 2 page(s) of claims (1-8)
- ☒ 2 sheet(s) of drawings [X] formal [] informal (Figs. 1-3)
- ☒ 7 page(s) of preliminary amendment
- ☒ 9 page(s) of German Language Text
- ☒ 6 page(s) of Executed Declaration and Power of Attorney
- ☒ Assignment of the invention to Marantec Antriebs-und Steuerungstechnik GmbH & Co. KG
- ☒ Information Disclosure Statement

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date February 18, 2004 as "Express Mail Post Office to Addressee" Mail Label Number EV995745324US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: February 18, 2004


George M. Kaplan

- ☐ This application claims the benefit under 35 U.S.C. §119(e) of U.S. Provisional Application(s) No(s):

APPLICATION NO(S):
/

FILING DATE

- ☒ Certified copy of application

Country

Appln. No.

Filed

GERMANY

UM 203 02 633.0

February 18, 2003

from which priority under Title 35 United States Code, § 119 is claimed

☐ is enclosed.

☒ will follow.

CALCULATION OF UTILITY APPLICATION FEE *

For	Number Filed	Number Extra	Rate	Basic Fee \$770.00
TOTAL CLAIMS **	20-20	9	x 18 =	\$0.00
INDEPENDENT CLAIMS	1-3	0	x 86 =	\$.00
<input type="checkbox"/> Multiple Dep. Claim			290	\$.00
			TOTAL \$770.00	

- ☒ Small Entity Status is claimed Under 37 C.F.R. § 1.27. Reduced fees under 37 C.F.R. § 1.9(f) (50% of total) paid herewith \$385.00.
- ☒ The amount of \$40.00 for recording the attached Assignment is enclosed as a separate check.
- ☒ Check in the amount of \$385.00 to cover the filing fee(s) is attached.

* Based upon accompanying Preliminary Amendment


** includes all independent and single dependent claims and all claims referred to in multiple dependent claims. See 37 C.F.R. § 1.75(c).

☐ Charge fee to Deposit Account No. 04-1121.
TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and 1.17, at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. **04-1121**. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. **04-1121** therefor. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

Respectfully submitted,

Date: February 18, 2004


George M. Kaplan
Reg. No. 28,375
Attorney for Applicant

DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553
Tel. No. (516) 228-8484
Fax. (516) 228-8516